

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., et al.,

Plaintiff,

V.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants.

CIVIL ACTION NO.
02-cv-3830 (LDD)

**HANDY & HARMAN TUBE COMPANY, INC.'S MOTION
IN LIMINE TO BAR PLAINTIFFS AND CO-DEFENDANTS FROM
INTRODUCING INTO EVIDENCE "SUMMARIES" OF INTERVIEWS
OF FORMER H&H TUBE EMPLOYEES**

Defendant, Handy & Harman Tube Company, Inc. (“H&H Tube”), by and through its undersigned counsel, Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, hereby moves the Court *in limine* to bar Plaintiffs and co-Defendants from introducing into evidence “summaries” of interviews of former H&H Tube employees, Thomas Curran, Mary Kollmar and Jay Crawford. In support of this motion, H&H Tube avers as follows:

1. Plaintiffs have indicated in their Trial Exhibit List that they intend to rely upon three unsigned and unsworn “summaries” of interviews of former H&H Tube employees that were purportedly prepared by a Richard Grabill.

2. The co-Defendants have likewise indicated in their respective Trial Exhibit Lists that they intend to rely upon three unsigned and unsworn “summaries” of interviews of former H&H Tube employees that were purportedly prepared by a Richard Grabill.

3. The unsigned and unsworn summaries of the former H&H Tube employees are inadmissible.

4. For the reasons set forth in the accompanying memorandum, H&H Tube's motion *in limine* to bar Plaintiffs and co-Defendants from introducing into evidence "summaries" of interviews of former H&H Tube employees should be granted.

WHEREFORE, Handy & Harman Tube Company respectfully requests that the Court grant H&H Tube's motion *in limine*.

Respectfully submitted,

CARELLA, BYRNE, BAIN, GILFILLAN,
CECCHI, STEWART & OLSTEIN

By:  MF1386

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Attorneys for Defendant,
Handy & Harman Tube Company, Inc.

Dated: May 23, 2008

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date caused true and correct copies of the attached Motion *In Limine* To Bar Plaintiffs and Co-Defendants From Introducing Into Evidence "Summaries" Of Interviews Of Former H&H Tube Employees to be served on all counsel of record via Electronic Filing and email, addressed as follows:

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